

## **Issue Paper Restrictions on Project Inspector Employment**

### **ISSUE:**

In public school construction projects, a district may elect to contract with a firm providing various construction-related services including project inspection. Such an arrangement may reduce the independence of the project inspector, which is needed for objective reporting of construction progress and issues.

### **BACKGROUND:**

At the April 30, 2012 Committee meeting, the DSA presented a code change proposal that would restrict the type of services that can be provided by firms that are providing inspection services on school construction projects. The Committee discussed possible situations where an employment contract may influence project inspector's independence in performance of inspection duties. The Committee also received written comment that expressed concerns with the proposal and cited consultant services, such as engineering and program management, that would be precluded from providing project inspection along with other services for the same district.

### **PROPOSAL:**

The DSA has amended its proposal to simplify the code language, as shown below. This administrative code change would preclude a project inspector from being employed by an entity that has a contract with the school district to provide any services other than those directly related to inspection of construction, during the duration of the project. An entity that has a contract with the district for project inspection would be precluded from providing any other services to this district during the duration of the inspection services.

### **PROPOSED REGULATION CHANGES:**

#### **California Code of Regulations, Title 24, Part 1 Section 4-333. Observation and Inspection of Construction.**

...

**(b)** Inspection by project inspector. The school board must provide for and require competent, adequate and continuous inspection by an inspector satisfactory to the architect or registered engineer in general responsible charge of observation of the work of construction, to any architect or registered engineer delegated responsibility for a portion of the work, and to DSA.

1. The cost of project inspection shall be paid for by the school board. An inspector shall not have any current employment relationship with any: ~~entity which is a contracting party for the construction~~ entity providing any services for the school district except for services directly related to project inspection.